

REGISTER NUMBER: 112

NOTIFICATION FOR PRIOR CHECKING

Date of submission: 11/07/2006

Case number: 2006-364

Institution: European Commission

Legal basis: article 27-5 of the regulation CE 45/2001⁽¹⁾

(1) OJ L 8, 12.01.2001

INFORMATION TO BE GIVEN⁽²⁾

(2) Please attach all necessary backup documents

1/ Name and adress of the controller

2) Name and First Name of the Controller:EGELUND Elisabeth

3) Title:Head of Unit

4) Directorate, Unit or Service to which the Controller is attached:B.04

5) Directorate General to which the Controller is attached:SCIC

2/ Organisational parts of the institution or body entrusted with the processing of personal data

26) External Company or Directorate General to which the Processor is attached:

25) External Company or Directorate, Unit or Service to which the Processor is attached:

SCIC.B.01

3/ Name of the processing

Management of personal data of Auxiliary Conference Interpreters (ACI) stored in SIGNALETIQUE (application of the central database CORALIN).

4/ Purpose or purposes of the processing

Inviting candidates to tests, recruiting freelance interpreters, assigning freelance interpreters to meetings, paying freelance interpreters, statistics.

====> Do you have an separate notification for the tests or do you want to cover the tests also by the present notification?

There is no separate notification for the tests, data related to tests are covered by the present notification.

====> Is there any evaluation of freelance interpreters done before recruitment?

When a freelance int. succeeds in an interinst. test he/she is put on the Joint List and is available for recruitment. There could be negative reports but after the first recruitment.

The European Parliament can recommend to DG SCIC a freelance interpreter who is on the Joint List with the agreement of the EP only. In that case the free. int. is recruited by DG SCIC and listened to and "rapports d'écoute" are issued. If they are positive the free. int. can get the SCIC agreement following approval of "Group de travail Interinstitutionnel" (GTI).

5/ Description of the category or categories of data subjects

14) Data Subject(s) concerned:

Candidates to interinstitutional tests.

Auxiliary Conference Interpreters (ACIs)/freelance interpreters on the Joint List of accredited freelance interpreters. The Joint List is shared by DG SCIC, EP and CoJ.

16) Category(ies) of Data Subjects:

Candidates to interinstitutional tests.

Auxiliary Conference Interpreters (ACIs)/freelance interpreters accredited on the Joint List shared by DG SCIC, EP and CoJ.

6/ Description of the data or categories of data (including, if applicable, special categories of data (article 10) and/or origin of data)(including, if applicable, special categories of data (article 10) and/or origin of data)

17) Data field(s) of Data Subjects:

Attention: Please indicate and describe in the answer to this question also data fields which fall under article 10

The database contains personal data on freelance interpreters (ACIs = Auxiliary Conference Interpreters) such as name, birth date, working languages, languages studied, tests, statut, matricule number, private address, private tel. n° , e-mail address, professional domicile, category as freelance interpreter (beginner-experienced), number of days worked for EU Institutions, accreditation for SCIC-EP-CoJ, pension, bank.

18) Category(ies) of data fields of Data Subjects:

Attention: Please indicate and describe in the answer to this question also categories of data fields which fall under article 10

Personal data

Category

Agreement

Observations

Tests

7/ Information to be given to data subjects

15a) Which kind of communication(s) have you foreseen to inform the Data Subjects as described in articles 11 - 12 under 'Information to be given to the Data Subject'

SCIC WEBCALENDAR DATA SHEET (see 9)

Privacy Statement (it will be added to the WEBCALENDAR upon approval of the DPO).

Interinstitutional pages on EUROPA

8/ Procedures to grant rights of data subjects (rights of access, to rectify, to block, to erase, to object)(rights of access, to rectify, to block, to erase, to object)

15b) Which procedure(s) did you put in place to enable Data Subjects to exert their rights: access, verify, correct, etc., their Personal Data as described in articles 13 - 19 under 'Rights of the Data Subject' :

SCIC WEBCALENDAR DATA SHEET (see 9)

ACIs can change only their address, email and tel. numbers

Upon request by Data Subject, data are deleted (see 22b).

9/ Automated / Manual processing operation

7) Description of Processing:

Attention: Please describe in the answer to this question if you process personal data falling under article 27 "Prior-Checking (by the EDPS - European Data Protection Supervisor)"

The database contains personal data on freelance interpreters (ACIs = Auxiliary Conference Interpreters) such as name, birth date, working languages, languages studied, tests, statut, matricule number, private address, private tel. n° , e-mail address, professional domicile, category as freelance interpreter (beginner-experienced), number of days worked for EU Institutions, accreditation for SCIC-EP-CoJ, pension, bank. The data is used when assigning teams of interpreters into meetings. The data may be output as reports or as aggregated or individual statistics.

Reports on interpretation teams including names of interpreters and their language combination may also be given, for operational reasons, to the coordinators of Member State Presidencies.

Private tel. numbers of interpreters are necessary to Unit SCIC.C.2 Programming/Planning of interpretation

8) Automated Processing operation(s):

Generation of general and individual statistics and summaries/compilations of data.

9) Manual Processing operation(s):

Input of data by staff in Unit SCIC.B.4 (Joint Management of External Conference Interpreting Staff) or directly by ACIs through WEBCALENDAR (only addresses, emails and tel. numbers can be changed directly by ACIs).

The WEBCALENDAR is used by ACIs to show their availability and by the Institutions to offer them contracts.

10/ Storage media of data

Database servers running in the operational IT environment of DG SCIC

11/ Legal basis and lawfulness of the processing operation

11) Legal basis of Processing:

Staff regulations of Officials of the European Communities and related conditions of employment of other servants of the European Communities (Art. 78-90)

General Implementing Provisions of the Staff Regulations as adopted by the Commission.

Agreement on working conditions and financial terms for freelance interpreters recruited by the EU Institutions + Annex (Decision of 20 June 2001)

12) Lawfulness of Processing:

Answering this question please also verify and indicate if your processing has to comply with articles 20 "Exemptions and restrictions" and 27 "Prior checking (by the EDPS)"

Processing is lawful pursuant to Art.5 (a, c)

Article 20 is not relevant, Art. 27 is relevant.

12/ The recipients or categories of recipient to whom the data might be disclosed

20) Recipient(s) of the Processing:

The access rights to the data processed are listed in the spreadsheet attached to question n°7.

Management and authorised staff members of DG SCIC.

Authorised staff members of the European Parliament and the Court of Justice (DG Interpretation, Informatics' team)

All Ministries of the Member State which has the Presidency.

The transfers to the ministries of the Member states are operated under article 8 of Regulation (EC) 45/2001 with the appropriate legal data protection clause provided by the DPO

(<http://www.cc.cec/dataprotectionofficer/website/recommendations/DLegalClausesTransferOfPersonalDatamerged.doc>).

21) Category(ies) of recipients:

Management and authorised staff members of DG SCIC.

Authorised staff members of the European Parliament and the Court of Justice (DG Interpretation, Informatics' team)

All Ministries of the Member State which has the Presidency.

13/ retention policy of (categories of) personal data

Personal data are stored and updated as long as the freelance interpreters work for EU Institutions. ACIs over 65 years old can work for the EU Institutions consequently data are deleted only when an official death certificate is sent.

Even ACIs who start working as permanent officials in a international organisation or elsewhere can request at any time during their life to reconstruct their career. It is therefore not possible to delete their data or their names.

Same rule applies to candidates.

13 a/ time limits for blocking and erasure of the different categories of data (on justified legitimate request from the data subject) (Please, specify the time limits for every category, if applicable)
(on justified legitimate request from the data subject)
(Please, specify the time limits for every category, if applicable)

22 b) Time limit to block/erase data on justified legitimate request from the data subjects

Upon request by Data Subject, data are deleted.

15 days to send a holding reply and 15 more days to send the final answer .

14/ Historical, statistical or scientific purposes

If you store data for longer periods than mentioned above, please specify, if applicable, why the data must be kept under a form which permits identification,

22 c) Historical, statistical or scientific purposes - If you store data for longer periods than mentioned above, please specify, if applicable, why the data must be kept under a form which permits identification

Not applicable

15/ Proposed transfers of data to third countries or international organisations

27) Legal foundation of transfer:

Only transfers to third party countries not subject to Directive 95/46/EC (Article 9) should be considered for this question. Please treat transfers to other community institutions and bodies and to member states under question 20.

Not applicable

28) Category(ies) of Personal Data or Personal Data to be transferred:

Not applicable

16/ The processing operation presents specific risk which justifies prior checking (please describe): *(please describe)*:

7) Description of Processing:

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Private tel. numbers of interpreters are necessary to Unit SCIC.C.2 Programming/Planning of interpretation

12) Lawfulness of Processing:

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Processing is lawful pursuant to Art.5 (a, c)

Article 20 is not relevant, ART. 27 is relevant.

Article 27.2.(a) Processing of data relating to health and to suspected offences, offences, criminal convictions or security measures,

Not applicable

Article 27.2.(b) Processing operations intended to evaluate personal aspects relating to the data subject,

The processing operations on the "Management of personal data of Auxiliary Conference Interpreters" are submitted for prior-checking under the present § of article 27.

Article 27.2.(c) Processing operations allowing linkages not provided for pursuant to national or Community legislation between data processed for different purposes,

Not applicable

Article 27.2.(d) Processing operations for the purpose of excluding individuals from a right, benefit or contract,

Not applicable

Other (general concept in Article 27.1)

Not applicable

17/ Comments

1) Date of submission:

10) Comments if applicable:

36) Do you publish / distribute / give access to one or more printed and/or electronic directories?

Personal Data contained in printed and/or electronic directories of users and access to such directories shall be limited to what is strictly necessary for the specific purposes of the directory.

If Yes, please explain what is applicable.

no

37) Complementary information to the different questions if applicable, including attachments to this notification which should not be public :

PLACE AND DATE:10/07/2006

DATA PROTECTION OFFICER: RENAUDIERE Philippe

INSTITUTION OR BODY:European Commission